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DEPARTMENT OF THE INTERIOR.

National Bituminous Coal Commission.

[Order No. 45]

AN ORDER PROVIDING FOR A PUBLIC HEARING ON PETITION OF BITUMINOUS COAL PRODUCERS BOARD FOR DISTRICT NO. 12 FOR DIVISION OF MINIMUM PRICE AREA NO. 2 OR OTHER RELIEF

Bituminous Coal Producers Board for District No. 12 having filed a petition with the Commission pursuant to Section 4, Part I (a) of the Bituminous Coal Act of 1937, petitioning the Commission for a hearing to receive evidence for the purpose of enabling the Commission to determine the advisability of dividing Minimum Price Area No. 2 so as to place District No. 12 in a separate minimum price area, or grant such other relief to District No. 12 as would render the establishment of minimum prices in accordance with all the standards set forth in Subsections (a) and (b) of Part II of Section 4 of the Act, more practicable, or such other relief as the Commission may deem just and equitable in the premises, and pursuant to Act of Congress entitled "An Act to regulate interstate commerce in bituminous coal, and for other purposes" (Public, No. 48, 75th Cong., 1st sess.), known as the Bituminous Coal Act of 1937, the National Bituminous Coal Commission hereby orders and directs:

That a public hearing be held in the City of Washington, D. C., on the 27th day of September, 1937, at the Hearing Room of the Commission in the Hamilton Hotel, commencing at the hour of 10 o'clock A. M., before an Examiner designated by the Commission for the purpose of receiving evidence from all interested parties to enable the Commission to act upon the petition of the Bituminous Coal Producers Board for District No. 12, and to determine, pursuant to subsection (a) of Part I of Section 4 of the Act, whether or not a change in the territorial boundaries or limits or a division of Minimum Price Area No. 2 is necessary to render the establishment of minimum prices in accordance with all the standards set forth in subsections (a) and (b) of Part II of Section 4 of the Act more practicable, or to grant such other relief to the petitioner as may be deemed just and equitable in the premises.

The Secretary of the Commission shall forthwith give notice of the time, place and purpose of the hearing to be held under this order by publishing a copy of this order for two (2) days in newspapers of general circulation in each of Districts Nos. 9, 10, 11, 12 and 15, and by mailing a copy of this order to the Secretaries of all District Boards, to the Consumers' Counsel, and to all code members within Districts Nos. 9, 10, 11, and 12.

By order of the Commission.

Dated this 15th day of September, 1937.

[SEAL]

F. WITCHER McCULLOUGH, Secretary.

[F. R. Doc. 37-2769; Filed, September 16, 1937; 10:35 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

Issued September 16, 1937

[General Sugar Regulations Series 2, No. 1]

ENTRY OF SUGAR INTO THE CONTINENTAL UNITED STATES

GENERAL SUGAR REGULATIONS MADE BY THE SECRETARY OF AGRICULTURE UNDER THE SUGAR ACT OF 1937

By virtue of the authority vested in the Secretary of Agriculture by the Sugar Act of 1937, approved September 1, 1937, I, H. A. Wallace, Secretary of Agriculture, in order to carry out the powers vested in me by the said act, do hereby make, prescribe, publish, and give public notice of these regulations, which shall have the force and effect of law and shall remain in force and effect until amended or superseded by regulations hereafter made by the Secretary of Agriculture.

1. All persons are hereby forbidden from bringing or importing into the continental United States sugar or liquid sugar produced in any area outside of continental United States, except through customs ports of entry. The collectors of customs shall not permit any such sugar or liquid sugar to enter continental United States unless and until there shall be furnished proof as to the following matters satisfactory to the collector of customs (an affidavit in duplicate (Form SS-3) subscribed and sworn to by the consignee as to such matters may be accepted by the collector of customs as satisfactory proof thereof): (1) The area in which such sugar or liquid sugar was produced, (2) the port from which such sugar or liquid sugar was brought, (3) the names of the consignor, consignee, shipper, and owner, (4) the kind or type and identification marks of such sugar or liquid sugar, (5) the purpose for which such sugar or liquid sugar is brought into continental United States, to wit, whether such sugar or liquid sugar is for consumption in or for export from continental United States, either in the state in which it is being brought or imported into continental United States, or after it has been further refined or otherwise improved in quality, (6) the allotment, if any, under which such sugar or liquid sugar is being brought or imported into continental United States, and (7) the polarization and the weight of such sugar and the total sugar content and quantity of such liquid sugar.

2. Upon notification by the Secretary of Agriculture that sugar or liquid sugar produced in any particular area outside of continental United States has, during any calendar year, been brought into continental United States for consumption therein in amounts totaling the amount of the quota fixed by the Secretary of Agriculture for that area for such calendar year, collectors of customs shall permit no further sugar or liquid sugar from such area to enter continental United States during such calendar year, except as authorized by the Secretary of Agriculture and in



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accordance with the terms and conditions of such authorization.

3. After the Secretary of Agriculture has determined and certified that sugar or liquid sugar produced in any particular area outside of continental United States has, during any calendar year, been brought into continental United States for consumption therein in amounts totaling the amount of the quota and/or allotments fixed by the Secretary of Agriculture for that area for such calendar year, the Secretary of Agriculture may nevertheless authorize collectors of customs to permit sugar or liquid sugar from such area to enter continental United States for consumption therein, if and when an equivalent amount of sugar or liquid sugar theretofore entered as a part of the quota from the same producing area is delivered to any collector of customs in the place and stead thereof and in substitution therefor, to be held in customs custody and control until thereafter authorized by the Secretary of Agriculture to be released therefrom: *Provided, however*, That no such authorization will be issued by the Secretary of Agriculture

unless and until: (A) An application for such authorization has been filed with the Secretary of Agriculture, or his authorized agent, setting forth the reason for requesting such substitution; (B) there shall first be shown to his satisfaction, by such proof as he may require, that the sugar or liquid sugar tendered in substitution and the sugar or liquid sugar sought to be entered (1) were produced in and brought from the same area, (2) have the equivalent weight translated into terms of pounds of sugar polarizing 96°, or, in the case of liquid sugar, the equivalent quantity translated into terms of 72 per cent total sugar content, and (3) are owned or contracted for by the same person; (C) the owner of the sugar or liquid sugar tendered in substitution shall agree in writing that such sugar or liquid sugar shall be treated in the same manner and shall be subject to the same rules and regulations as the sugar or liquid sugar for which it is tendered in substitution would have been treated and subjected if substitution therefor were not permitted; and (D) the owner of the sugar or liquid sugar tendered in substitution shall agree in writing to be responsible for all storage charges and other expenses in connection with the retention of the substituted sugar or liquid sugar in customs custody and that in the event such sugar or liquid sugar is not withdrawn and all charges thereon paid within 1 year from the date of the assumption of customs custody, it shall become abandoned to the Government and may be sold for the Government account, subject to payment to the said owner of the surplus proceeds, if any, after the payment of all charges and other expenses.

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the District of Columbia, city of Washington, this 16th day of September, 1937.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 37-2770; Filed, September 16, 1937; 12:43 p. m.]

Bureau of Entomology and Plant Quarantine.

[B. E. P. Q.—462]

[Supersedes P. Q. C. A.—311]

RESTRICTIONS AFFECTING THE IMPORTATION AND INTERSTATE MOVEMENT OF FROZEN-PACK FRUITS

[Approved and effective September 15, 1937]

The importation into the United States and the interstate shipment from Hawaii and Puerto Rico of frozen fruits, other than those which may be entered in the fresh state, are authorized under the provisions of regulation 2 of the rules and regulations supplemental to Notice of Quarantine No. 13; regulation 2 of the rules and regulations supplemental to Notice of Quarantine No. 56; and regulation 3 of the rules and regulations supplemental to Notice of Quarantine No. 56, under the following restrictions and conditions:

(1) Importations and interstate shipments may be made only under permits issued in advance of shipment. Applications for permits should be made to the Bureau of Entomology and Plant Quarantine of the United States Department of Agriculture.

(2) The importation and interstate shipment is not authorized of fruits which may be subject to attack, in the area of origin, of plant pests for which the refrigeration treatment herein prescribed may not, in the judgment of the Chief of the Bureau of Entomology and Plant Quarantine, be completely effective.

(3) Fruit imported from foreign countries or shipped interstate from Hawaii or Puerto Rico under authority of this circular must be frozen solid either before or after packing for shipment and must be at a temperature of 20° F., or below at the time of arrival.

(4) Such fruit may not be removed from the vessel transporting it until it has been determined by inspection

by a representative of the Bureau of Entomology and Plant Quarantine that all parts of the shipment at the time of arrival registered a temperature of not more than 20° F. and until it has been released by the said representative of the Bureau of Entomology and Plant Quarantine.

(5) If the fruit in any part of a shipment imported or shipped interstate under authority of this circular is found to be above 20° F. at the time of the inspection required in paragraph (4) of this circular, the entire shipment shall remain on the transporting vessel under such safeguards as may be prescribed by the representative of the Bureau of Entomology and Plant Quarantine until it attains the required temperature of 20° F. or below, or is transported beyond the territorial waters of the United States.

Since the temperature will be determined by thermometers, provision should be made for easy access to the interior of shipments so as to avoid unnecessary mutilation or destruction of containers. It is suggested therefore that cans, casks, or other types of packages of not more than 5-gallon capacity be employed wherever possible.

Applications should include information with respect to the process to be employed—whether the fruit is to be frozen prior to or after placing in the containers—and the approximate length of time that it will be exposed to a temperature of 20° F. or below while in transit.

FROZEN FRUITS WHICH ARE NOT COVERED BY THIS CIRCULAR

This circular does not affect the status of those fruits which may be imported or shipped interstate in the fresh state under the provisions of the rules and regulations supplemental to notices of quarantines nos. 13, 56, and 58. When such fruits are offered for entry or interstate movement in frozen condition they are subject only to the restrictions which apply to their entry or interstate movement as fresh fruits.

LEE A. STRONG,
Chief, Bureau of Entomology
and Plant Quarantine.

[F. R. Doc. 37-2768; Filed, September 15, 1937; 3:24 p. m.]

FEDERAL HOME LOAN BANK BOARD.

AMENDMENT TO RULES AND REGULATIONS FOR FEDERAL HOME LOAN BANKS

DEFINITION OF THE TERM "PAID-IN VALUE"

Be it resolved, that pursuant to authority vested in the Federal Home Loan Bank Board by Section 17 of the Federal Home Loan Bank Act (12 U. S. C. 1437), the Rules and Regulations for Federal Home Loan Banks are hereby amended by inserting at the end of Section 14, a new Section 14A, as follows:

SEC. 14A. *Regulations.*—"Paid-in value" of stock means the aggregate par value of stock which is full paid, and the sum of payments on stock issued at par which is not full paid, and, for stock issued at a premium above par, the sum of all payments thereon, less that proportion of the aggregate premium above par which has been paid thereon.

Adopted by the Federal Home Loan Bank Board on September 15, 1937.

[SEAL]

H. CAULSEN,
Assistant Secretary.

[F. R. Doc. 37-2767; Filed, September 15, 1937; 3:03 p. m.]

AMENDMENT TO RULES AND REGULATIONS FOR FEDERAL HOME LOAN BANKS

DIVIDENDS ON BANK STOCK TO BE PAID TO STOCKHOLDERS OF RECORD ON DIVIDEND DECLARATION DATE; COMPUTATION OF DIVIDENDS

Be it resolved, that pursuant to authority vested in the Federal Home Loan Bank Board by Section 17 of the Fed-

eral Home Loan Bank Act (12 U. S. C. 1437), paragraph numbered (4) of subsection (d) of Section 17 of the Rules and Regulations for Federal Home Loan Banks is hereby repealed, and paragraph numbered (3) of said subsection is hereby amended to read as follows:

(3) *Regulations.*—The board of directors of a Bank may, with the approval of the Board, declare dividends out of net earnings or undivided profits to stockholders of record at the close of business on June 30 and/or December 31 (and for no other dates) upon the paid-in value of capital stock outstanding on such record date payable by check on a date to be specified in the resolution declaring said dividend, but in any event within 31 days after said record date.

Dividends shall be declared at an annual rate of percent. On the paid-in value of each share of stock at the beginning of the dividend period (after deducting amounts of stock repurchased, i. e. surrendered and cancelled), dividends shall be computed at the annual dividend rate if the dividend period is for an annual period and at one-half of the annual dividend rate if the dividend period is for a semi-annual period. On payments made on account of stock during the dividend period (after deducting amounts of stock repurchased), dividends shall be computed at the annual dividend rate on an actual day basis for the time invested. For dividend purposes, amounts of stock repurchased within the period covered by a dividend shall be deducted from the latest previous payment (or payments in inverse order) on account of stock.

Adopted by the Federal Home Loan Bank Board on September 15, 1937.

[SEAL]

H. CAULSEN,
Assistant Secretary.

[F. R. Doc. 37-2766; Filed, September 15, 1937; 3:03 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 15th day of September, A. D. 1937.

[File No. 52-1]

IN THE MATTER OF GENESEE VALLEY GAS COMPANY, INC.

[Section 11 (f) of Public Utility Act of 1935]

NOTICE OF AND ORDER FOR POSTPONEMENT OF HEARING

Genesee Valley Gas Company, Inc., a subsidiary of a registered holding company, having filed an application, and amendments thereto, pursuant to Section 11 (f) of the Public Utility Holding Company Act of 1935, for approval of its plan of reorganization in proceedings pending in the United States District Court for the Southern District of New York pursuant to Section 77B of the Federal Bankruptcy Act as amended;

A hearing on said amended application having been held on June 28, 1937; said hearing having been continued; an order having been issued reconvening said hearing on September 20, 1937;¹ and it now appearing that said hearing should be postponed;

It is ordered that said hearing be postponed until October 4, 1937 at ten o'clock in the forenoon of that day in Room 1102, Securities and Exchange Commission, 1778 Pennsylvania Avenue, N. W., Washington, D. C.; and

Notice of such hearing is hereby given to said party and to any interested State, State commission, State securities commission, municipality, and any other political subdivision of a State, and to any representative of interested consumers or security holders, and any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice

¹ 2 F. R. 1163, 2101 (DI).

to that effect with the Commission on or before September 30, 1937.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-2772; Filed, September 16, 1937; 12:44 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C. on the 15th day of September, 1937.

[File No. 2-3074]

IN THE MATTER OF HERMAN HANSON OIL SYNDICATE

STOP ORDER

This matter coming on to be heard by the Commission on the registration statement of registrant Herman Hanson Oil Syndicate, a North Dakota corporation, after confirmed telegraphic notice by the Commission to said registrant that

it appears that said registration statement includes untrue statements of material facts and omits to state material facts required to be stated therein and omits to state material facts necessary to make the statements therein not misleading, and upon evidence received upon the allegations made in the notice of hearing duly served by the Commission on said registrant, and the Commission having duly considered the matter, and finding that said registration statement includes untrue statements of material facts and omits to state material facts required to be stated therein and material facts necessary to make the statements therein not misleading, all as more fully set forth in the Commission's Findings of Fact and Opinion this day issued, and the Commission being now fully advised in the premises,

It is ordered, pursuant to Section 8 (d) of the Securities Act of 1933, as amended, that the effectiveness of the registration statement filed by Herman Hanson Oil Syndicate, a North Dakota corporation, be and the same hereby is suspended.

By direction of the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-2771; Filed, September 16, 1937; 12:44 p. m.]